

EXHIBIT A
Proposed Order

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8 **UNITED STATES BANKRUPTCY COURT**
9 **EASTERN DISTRICT OF WASHINGTON**

10 In re:

11 GIGA WATT, Inc., a Washington
12 corporation,
13 Debtor.
14

Case No. 18-03197 FPC 11

The Honorable Frederick P. Corbit

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17 **[Proposed] ORDER GRANTING**
18 **TRUSTEE'S MOTION FOR ORDER**
19 **SETTING MONTHLY INTERIM**
20 **PAYMENT PROCEDURE**

21 This matter came before the Court upon the *Trustee's Motion for Order*
22 *Setting Monthly Interim Payment Procedure* (the "Motion") filed by Mark D.
23 Waldron, in his official capacity as the Chapter 11 Trustee (the "Trustee"). Unless
24 otherwise defined herein, capitalized terms have the meanings ascribed to them in
25 the Motion.

Based upon the Motion, the *Memorandum of Points and Authorities in*
Support of the Trustee's Motion for Order Setting Monthly Interim Payment
Procedure, the *Declaration of Mark D. Waldron in Support of the Trustee's*

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1 *Motion for Order Setting Monthly Interim Payment Procedure, the Notice of*
2 *Trustee's Motion for Order Setting Monthly Interim Payment Procedure (the*
3 *"Notice"), and any objections or further argument submitted by the parties in*
4 *interest, the Court hereby finds that cause exists to grant the Motion and further*
5 *finds that Notice of the Motion was proper and sufficient.*

6 ACCORDINGLY, IT IS HEREBY ORDERED THAT:

7 1. The Motion is granted in its entirety.

8 2. The Trustee is authorized, but not directed, to pay his fees and
9 expenses on a monthly basis, subject to the following procedure:

10 A. Each month, the Trustee will file and serve, as set forth below,
11 a notice stating the amount of fees and expenses that he accrued in the calendar
12 month prior (the "Notice of Monthly Interim Fee Statement").

13 B. The Trustee will serve the Notice of Monthly Interim Fee
14 Statement upon all parties who have registered to participate in Electronic Court
15 Filing (the "Monthly Notice Parties").

16 C. The Monthly Notice Parties shall have ten (10) days from the
17 date of service of the Notice of Interim Fee Statement to file and serve upon the
18 Trustee and undersigned counsel an objection to the proposed fees.

19 D. If no timely objection is filed with the Court, then the Trustee
20 may cause the Debtor to pay the Trustee up to the sum of \$15,000 for fees plus
21 expenses incurred; provided that if monthly fees are less than \$15,000, then the
22 Trustee will cause the Debtor to pay actual fees plus expenses.

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1 E. The Trustee shall use his business judgment in deciding whether to
2 cause the Debtor to pay any portion of the monthly interim payments. If the
3 Trustee decides in the exercise of his business judgment that the Debtor should
4 not pay otherwise properly noticed fees, that unpaid interim allowed amount will
5 roll forward and will be payable at such time as the Trustee deems appropriate.
6 Furthermore, payment of the rolled forward amount will not count toward the
7 \$15,000 cap.

8 F. If a timely objection is filed with the Court, then the Trustee
9 shall set the matter for hearing, which may be on an expedited basis.

10 G. If a party objects to less than the full amount of the requested
11 fees or expenses set forth in the Notice of Monthly Interim Fee Statement, then
12 the Trustee may cause the Debtor to pay him the amount of fees to which there is
13 no objection up to the sum of \$15,000 plus expenses.

14 H. All fees and expenses will be subject to final review and
15 approval after notice and hearing pursuant to section 330 of title 11 of the United
16 States Code.

17 I. The Trustee shall disgorge any fees and expenses that have
18 been paid pursuant to the Monthly Interim Payment Procedure but that are not
19 allowed on a final basis.

20 **/// END OF ORDER ///**

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